

SUBCHAPTER A—GENERAL

PART 100—SCOPE AND DEFINITIONS (2 U.S.C. 431)

Sec.

- 100.1 Scope.
- 100.2 Election (2 U.S.C. 431(1)).
- 100.3 Candidate (2 U.S.C. 431(2)).
- 100.4 Federal office (2 U.S.C. 431(3)).
- 100.5 Political committee (2 U.S.C. 431 (4), (5), (6)).
- 100.6 Connected organization (2 U.S.C. 431(7)).
- 100.7 Contribution (2 U.S.C. 431(8)).
- 100.8 Expenditure (2 U.S.C. 431(9)).
- 100.9 Commission (2 U.S.C. 431(10)).
- 100.10 Person (2 U.S.C. 431(11)).
- 100.11 State (2 U.S.C. 431(12)).
- 100.12 Identification (2 U.S.C. 431(13)).
- 100.13 National committee (2 U.S.C. 431(14)).
- 100.14 State committee, subordinate committee (2 U.S.C. 431(15)).
- 100.15 Political party (2 U.S.C. 431(16)).
- 100.16 Independent expenditure (2 U.S.C. 431(17)).
- 100.17 Clearly identified (2 U.S.C. 431(18)).
- 100.18 Act (2 U.S.C. 431(19)).
- 100.19 File, filed or filing (2 U.S.C. 434(a)).
- 100.20 Occupation (2 U.S.C. 431(13)).
- 100.21 Employer (2 U.S.C. 431(13)).
- 100.22 Expressly advocating (2 U.S.C. 431(17)).
- 100.23 Coordinated General Public Political Communications.

AUTHORITY: 2 U.S.C. 431, 434(a)(11), 438(a)(8).

SOURCE: 45 FR 15094, Mar. 7, 1980, unless otherwise noted.

§ 100.1 Scope.

This subchapter is issued by the Federal Election Commission to implement the Federal Election Campaign Act of 1971 (Pub. L. 92-225), as amended by Public Law 93-443, Public Law 94-283, Public Law 95-216, and Public Law 96-187.

§ 100.2 Election (2 U.S.C. 431(1)).

(a) *Election* means the process by which individuals, whether opposed or unopposed, seek nomination for election, or election, to Federal office. The specific types of elections, as set forth at 11 CFR 100.2 (b), (c), (d), (e) and (f) are included in this definition.

(b) *General election*. A general election is an election which meets either of the following conditions:

(1) An election held in even numbered years on the Tuesday following the first Monday in November is a general election.

(2) An election which is held to fill a vacancy in a Federal office (i.e., a special election) and which is intended to result in the final selection of a single individual to the office at stake is a general election. See 11 CFR 100.2(f).

(c) *Primary election*. A primary election is an election which meets one of the following conditions:

(1) An election which is held prior to a general election, as a direct result of which candidates are nominated, in accordance with applicable State law, for election to Federal office in a subsequent election is a primary election.

(2) An election which is held for the expression of a preference for the nomination of persons for election to the office of President of the United States is a primary election.

(3) An election which is held to elect delegates to a national nominating convention is a primary election.

(4) With respect to individuals seeking federal office as independent candidates, or without nomination by a major party (as defined in 26 U.S.C. 9002(6)), the primary election is considered to occur on one of the following dates, at the choice of the candidate:

(i) The day prescribed by applicable State law as the last day to qualify for a position on the general election ballot may be designated as the primary election for such candidate.

(ii) The date of the last major party primary election, caucus, or convention in that State may be designated as the primary election for such candidate.

(iii) In the case of non-major parties, the date of the nomination by that party may be designated as the primary election for such candidate.

(5) With respect to any major party candidate (as defined at 26 U.S.C. 9002(6)) who is unopposed for nomination within his or her own party, and who is certified to appear as that party's nominee in the general election for the office sought, the primary election is considered to have occurred on the